

render other language superfluous, nevertheless, I believe that if we add this that for practical purposes the probability of the state being able to win a case with these words added are very slim indeed and then we go right back to the issue of whether or not we want to put the state in the position of losing that valuation and those tax funds depending on when the court case might be filed, but either being in the position of refunds again with local governments not knowing and not being, knowing whether or not that revenue is going to come particularly if the case is filed after levies are set and they would be underfunded and I think it's an error on our part if we attempt to roll the dice, so to speak, of whether or not an estimated 5.5 million or 4.25 million or zero is going to be the amount of personal property tax paid by railroads and carlines. I am more comfortable with following the route in which there is, I believe, good assurance that we are in compliance as the amendment now stands without Wickersham's amendment. Without Senator Wickersham's amendment I believe we stand every probability then that there is no litigation and we'll have greater stability and I am concerned that if we do this...

SPEAKER BAACK: One minute.

SENATOR WARNER: ...then for all practical purposes we will find ourselves back in court and probably in a very weak position at least based upon the cases that I have seen.

SPEAKER BAACK: Thank you, Senator Warner. Senator Wickersham, you're next.

SENATOR WICKERSHAM: Thank you, Mr. Speaker. Senator Warner, if you would yield to a couple of questions.

SPEAKER BAACK: Senator Warner, would you respond, please.

SENATOR WICKERSHAM: Senator Warner, the amendment that you have brought not only tracks some of the provisions of the 4-R Act, it also has to do a little bit with the calculation of the unitary tax, does it not? Would you mind describing that for the body.

SENATOR WARNER: Unit system for...

SENATOR WICKERSHAM: And you can do that on my time.